IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WP(C).No. 564 of 2007(P)

PETITIONER:

K.P. VIJAYAN, S/O.PURUSHOTHAMAN,
VIJAYA SOUDHAM, VENPALA, KUTTOOR,
THIRUVALLA REPRESENTED BY HIS POWER OF ATTORNEY
K.P.AJAYAGHOSHAN, S/O.PURUSHOTHAMAN,
KALATHIL PARAMBIL HOUSE, NEDUMPURAM,
THIRUVALLA.

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, PATHANAMTHITTA.

2. THE VILLAGE OFFICER,
VILLAGE OFFICE, KAVUMBHAGOM.

BY G.P. SRI.I.V.PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.564 of 2007

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Dated this the 5th day of January, 2007.

JUDGMENT

The petitioner's grievance is that inspite of Ext.P3 approval granted by the first respondent, the second respondent has issued prohibitory order vide Ext.P4 against filling of the paddy land as petitioner is alleged to be making filling in violation of Collector's order. The Collector is the appropriate authority to decide as to whether there is violation and if so, remedial measures to be taken to protect public interest. In the circumstances, the second respondent is directed to forward a report to the District Collector about the violations noticed by him after inspection and after informing the petitioner about his findings, within a period of ten days from the date of production of copy of this judgment. The Collector is directed to go through the report and hear the objection of the petitioner and second respondent and decide the matter within ten days thereafter. Further operations will be carried on by the petitioner with the approval of the Collector. W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms